

DOCUMENT NO. 5334

ADOPTED

JULY 12¹, 1990

MEMORANDUM

TO: BOSTON REDEVELOPMENT AUTHORITY AND
STEPHEN COYLE, DIRECTOR

FROM: GERARD KAVANAUGH, DIRECTOR OF INSTITUTIONAL PLANNING
THOMAS O'MALLEY, ASSISTANT DIRECTOR FOR NEIGHBORHOOD
HOUSING AND DEVELOPMENT
RALPH CAHILL, ASSISTANT GENERAL COUNSEL

SUBJECT: SOUTH COVE URBAN RENEWAL AREA
AUTHORIZATION TO TRANSFER EASEMENTS TO THE
MASSACHUSETTS BAY TRANSPORTATION AUTHORITY FOR THE
THE NEW ORANGE LINE

On September 1, 1968, the Boston Redevelopment Authority ("BRA"), Tufts New England Medical Center ("NEMC"), Massachusetts Bay Transportation Authority ("MBTA"), the Salesian Society and the City of Boston, entered into a cooperation agreement whereby expansion of Don Bosco School and Tufts New England Medical Center, along with construction of the new Orange Line could be accomplished in the Chinatown/South Cove area. Under the terms of the agreement, the BRA agreed to transfer to the MBTA any BRA property needed for the redevelopment of the new orange line and the MBTA in turn agreed to transfer properties needed by the BRA to carry out the Urban Renewal Plan.

Construction of the Orange Line has been completed and the Agreement provides for the transfer of permanent easements for use and maintenance of the tunnel on land from Stuart Street to Marginal Road.

In return, by agreement, the BRA will utilize the eminent domain process to expedite the transfer of of property from the MBTA to be used as a part of Parcel P-4, which is needed for a replacement bed-facility by NEMC and as a part of R-3, R-3A, which is a major affordable housing complex for the Chinatown area.

It is, therefore, recommended at this time that the BRA transfer those easements to the MBTA, comprising the new Orange Line.

An appropriate vote follows:

VOTED: that the Director is hereby authorized to execute any and all documents necessary to effectuate the transfer of those surface and subsurface easements in the South Cove Urban Renewal Area to the Massachusetts Bay Transportation Authority that comprise the new Orange Line, said easements are more particularly shown as Parcels 1 through 15 on a plan entitled: "Massachusetts Bay Transportation Authority, South Cove Tunnel Project, Easement Plan, Stuart Street and Kneeland Street to Marginal Road," dated April 2, 1979, by Harry R. Feldman, Inc., Surveyors, Boston, Massachusetts.

DEED

BOSTON REDEVELOPMENT AUTHORITY, a public body politic and corporate, organized and existing pursuant to M.G.L. c.121B, ("Grantor"), in consideration of One Dollar (\$1.00) grants to MASSACHUSETTS BAY TRANSPORTATION AUTHORITY ("Grantee"), all right, title and interest in those surface and subsurface easements for the use and maintenance as a public transportation subway facility, known as Parcels Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15, all as shown on a plan entitled, "Massachusetts Bay Transportation Authority, South Cove Tunnel Project, Easement Plan, Stuart Street and Kneeland Street to Marginal Road," dated April 2, 1979, by Harry R. Feldman, Inc., Surveyors, Boston, Massachusetts, recorded with Suffolk Registry of Deeds, in Book 9286, page 121.

IN WITNESS WHEREOF, the parties have caused their signatures and seals to be placed on this instrument in three (3) counterparts by their duly authorized offices, respectively, on this _____ day of _____, 1989.

Signed, sealed and
delivered in the
presence of:

BOSTON REDEVELOPMENT AUTHORITY

By: _____
Stephen Coyle, Director

Approved as to form:

Ralph F. Cahill, Assistant General Counsel

RFC7/0

